

State Appellate Public Defender

Analyst: Holland-Smith

Historical Summary

OPERATING BUDGET	FY 2002 Total App	FY 2002 Actual	FY 2003 Approp	FY 2004 Request	FY 2004 Gov Rec
BY FUND CATEGORY					
General	1,251,700	1,191,100	1,261,900	1,286,800	1,228,800
Percent Change:		(4.8%)	5.9%	2.0%	(2.6%)
BY OBJECT OF EXPENDITURE					
Personnel Costs	845,500	794,600	969,100	989,800	983,000
Operating Expenditures	403,900	396,200	290,500	297,000	245,800
Capital Outlay	2,300	300	2,300	0	0
Total:	1,251,700	1,191,100	1,261,900	1,286,800	1,228,800
Full-Time Positions (FTP)	13.00	13.00	15.00	15.00	15.00

Division Description

The Office of the State Appellate Public Defender was created in 1998 by House Bill 840 during the Fifty-Fourth Idaho Legislature. The intent of the legislation was to create a Capital Crimes Defense Fund to help defray the cost of capital litigation at the trial level for Idaho counties. Additionally, the intent of the legislation was to create the Office of the State Appellate Defender to reduce the cost of legal representation of indigent defendants upon the appeal of their criminal convictions, particularly for first-degree murder, which had been an expensive and unpredictable burden on the counties. In addition, there had developed the perception that because of the different degree with which some counties could respond financially to this demand, that it was possible that justice could be pursued unevenly throughout the state. The services of the State Appellate Public Defender are only available to those counties who participate in the Capital Crimes Defense Fund. The State Appellate Public Defender provides services in the following areas:

- 1) Appeals from convictions in district court.
- 2) Appeals from the district court in post-conviction relief proceedings brought pursuant to the uniform post-conviction procedure act.
- 3) Appeals from the district court in habeas corpus proceedings.
- 4) Post-conviction relief proceedings in capital cases.

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Comparative Summary

Decision Unit	Agency Request			Governor's Rec		
	FTP	General	Total	FTP	General	Total
FY 2003 Original Appropriation	15.00	1,261,900	1,261,900	15.00	1,261,900	1,261,900
Budget Reduction (Neg. Supp.)	0.00	(44,200)	(44,200)	0.00	(44,200)	(44,200)
FY 2003 Total Appropriation	15.00	1,217,700	1,217,700	15.00	1,217,700	1,217,700
Removal of One-Time Expenditures	0.00	(2,300)	(2,300)	0.00	(2,300)	(2,300)
Restore Budget Reduction	0.00	44,200	44,200	0.00	0	0
FY 2004 Base	15.00	1,259,600	1,259,600	15.00	1,215,400	1,215,400
Personnel Cost Rollups	0.00	12,000	12,000	0.00	13,900	13,900
Inflationary Adjustments	0.00	7,000	7,000	0.00	0	0
Nonstandard Adjustments	0.00	(500)	(500)	0.00	(500)	(500)
Change in Employee Compensation	0.00	8,700	8,700	0.00	0	0
FY 2004 Total	15.00	1,286,800	1,286,800	15.00	1,228,800	1,228,800
Change from Original Appropriation	0.00	24,900	24,900	0.00	(33,100)	(33,100)
% Change from Original Appropriation		2.0%	2.0%		(2.6%)	(2.6%)

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
FY 2003 Original Appropriation	15.00	1,261,900	0	0	1,261,900

Budget Reduction (Neg. Supp.)

Reduces funding from operating expenditures for professional services used to hire outside attorneys when there are conflicts-of-interest, IT services, and mitigation experts leaving a balance of \$60,000.

Agency Request	0.00	(44,200)	0	0	(44,200)
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The Governor recommends that the General Fund holdback, as directed by Executive Orders 2002-08 and 2002-09, be incorporated as a negative supplemental appropriation for FY 2003.

Governor's Recommendation	0.00	(44,200)	0	0	(44,200)
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FY 2003 Total Appropriation					
Agency Request	15.00	1,217,700	0	0	1,217,700
Governor's Recommendation	15.00	1,217,700	0	0	1,217,700

Removal of One-Time Expenditures

Agency Request	0.00	(2,300)	0	0	(2,300)
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Governor's Recommendation	0.00	(2,300)	0	0	(2,300)
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Restore Budget Reduction

Restores the 3.5% General Fund holdback to build the FY 2004 Base.

Agency Request	0.00	44,200	0	0	44,200
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The Governor recommends that reductions made in appropriations in fiscal year 2003 not be restored to the budget base.

Governor's Recommendation	0.00	0	0	0	0
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FY 2004 Base					
Agency Request	15.00	1,259,600	0	0	1,259,600
Governor's Recommendation	15.00	1,215,400	0	0	1,215,400

Personnel Cost Rollups

Includes the employer portion of estimated changes in employee benefit costs.

Agency Request	0.00	12,000	0	0	12,000
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The Governor also recommends additional funding to be applied to the employee paid portion of health and dental insurance cost increases, in order to prevent employees from experiencing a reduction in take-home pay.

Governor's Recommendation	0.00	13,900	0	0	13,900
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Inflationary Adjustments

Includes a general inflationary increase of 2.4% in operating expenditures.

Agency Request	0.00	7,000	0	0	7,000
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The Governor recommends no increase for general inflation.

Governor's Recommendation	0.00	0	0	0	0
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Nonstandard Adjustments

Nonstandard Adjustments are a \$300 reduction in State Controller fees, and a \$200 reduction in State Treasurer fees.

Agency Request	0.00	(500)	0	0	(500)
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Governor's Recommendation	0.00	(500)	0	0	(500)
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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
Change in Employee Compensation					
Reflects the cost of a 1% salary increase for permanent positions.					
Agency Request	0.00	8,700	0	0	8,700
<i>The Governor does not recommend new funding for state employee pay increases. Compensation increases may be funded with agency salary savings wherever possible.</i>					
Governor's Recommendation	0.00	0	0	0	0
FY 2004 Total					
Agency Request	15.00	1,286,800	0	0	1,286,800
Governor's Recommendation	15.00	1,228,800	0	0	1,228,800
Agency Request					
Change from Original App	0.00	24,900	0	0	24,900
% Change from Original App	0.0%	2.0%			2.0%
Governor's Recommendation					
Change from Original App	0.00	(33,100)	0	0	(33,100)
% Change from Original App	0.0%	(2.6%)			(2.6%)

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Issues & Information

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Organizational Chart

